

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
Telecommunications Relay Services )  
and Speech-to-Speech Services for )  
Individuals with Hearing and Speech )  
Disabilities )  
 )  
Americans with Disabilities Act of 1990 )  
\_\_\_\_\_ )

CG Docket No. 03-123

**COMMENTS OF SPRINT CORPORATION**

Sprint Corporation ("Sprint"), pursuant to the Commission's Public Notice (DA 04-2062) released July 9, 2004, hereby respectfully submits its comments on the Petition for Declaratory Ruling filed March 31, 2004 by Hands On Video Relay Service, Inc. (HOVRS). Sprint strongly supports HOVRS's request that the Commission declare that "VRS Mail is compensatory VRS subject to reimbursement from the Interstate Telecommunications Service Fund administered by NECA." Petition at 1.

According to HOVRS, VRS providers are not currently eligible to receive compensation from the Interstate TRS Fund because the "Disabilities Rights Office of the Consumer and Governmental Affairs Bureau has informally directed NECA not to compensate VRS providers for minutes of VRS interpreting dedicated to providing Video Mail pending a formal ruling on whether Video Mail constitutes VRS." Petition at 1. Sprint has no way of knowing the bases for the Bureau's informal directive to NECA. Nonetheless, Sprint believes that given the fact that VRS providers are compensated for the conversation minutes generated when their video interpreters leave voice mail messages from deaf or hard-of-hearing VRS users to hearing

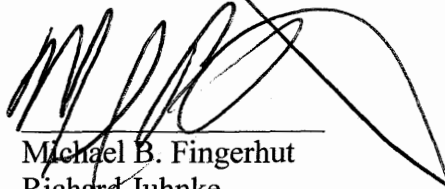
persons, there is no principled basis to deny VRS providers compensation for the conversation minutes generated when their video interpreters leave video mail messages from hearing persons to deaf or hard-of-hearing individuals. Certainly the identity of the recipient of the message does not justify a ruling that one service is compensable and the other is not. This is especially the case where the Commission has previously found that the provision of voice mail services through relay, regardless of whether the recipient is a hearing person or a deaf or hard-of-hearing person, is necessary to ensure functional equivalency. *See* Comments of CSD on Video Mail filed August 10, 2004 at 3-8.

Perhaps the Bureau's reluctance to authorize NECA to compensate VRS providers for their provision of video mail is based on how the video message is stored and retrieved by deaf or hard-of-hearing individuals. But the Commission requires TRS providers to provide voice mail retrieval service to deaf and hard-of-hearing individuals regardless of whether the voice message is left on an answering machine attached to the deaf or hard-of-hearing individual's phone or stored in a voice mail box provided by the deaf or hard-of-hearing individual's telephone company or employer. As HOVRS points out, storage and retrieval issues are irrelevant and cannot justify denying compensation to providers of VRS mail. Petition at 3-4.

Accordingly, Sprint respectfully requests that the Commission issue the declaratory ruling as requested by HOVRS.

Respectfully submitted,

SPRINT CORPORATION

A large, stylized handwritten signature in black ink, appearing to read 'M. Fingerhut', is written over a horizontal line.

Michael B. Fingerhut

Richard Juhnke

401 9<sup>th</sup> Street NW, Suite 400

Washington, D.C. 20004

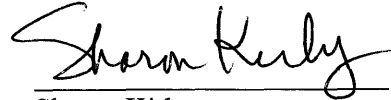
(202) 585-1909

Its Attorneys

August 16, 2004

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of Sprint Corporation in CC Docket No. 03-123 was sent by electronic mail or U.S. First Class Mail, postage prepaid, on this 16th day of August 2004 to the parties listed below.

  
Sharon Kirby

### VIA ECFS

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

### VIA E-MAIL

Thomas Chandler  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Greg Hlibok  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Cheryl King  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Jay Keithley  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Best Copy and Printing Inc.  
445 12th Street, SW  
Room CY-B402  
Washington, DC 20554

### VIA U.S. MAIL

Karen Peltz Strauss  
KPS Consulting  
3508 Albemarle Street, NW  
Washington, DC 20008  
*Counsel for Communication Service for  
the Deaf, Inc.*

David O'Connor, Esq.  
Holland & Knight LLP  
2099 Pennsylvania Avenue, NW, #100  
Washington, DC 20006  
*Counsel for Hamilton Relay*

Larry Fenster  
MCI  
1133 19th Street, NW  
Washington, DC 20336

George L. Lyon, Jr.  
Lukas, Nace, Gutierrez & Sachs,  
Chartered  
1111 19th Street, NW, Suite 1200  
Washington, DC 20036  
*Counsel for Hands on Video Relay  
Services, Inc.*